

8/27/04

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/795,790	03/08/2004	Arindam Roy	NVI 5268.2

000321  
SENNIGER POWERS LEAVITT AND ROEDEL  
ONE METROPOLITAN SQUARE  
16TH FLOOR  
ST LOUIS, MO 63102

CONFIRMATION NO. 7703  
FORMALITIES LETTER



\*OC000000012780577\*

Date Mailed: 05/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/31/2004 JBALINAN 00000046 10795790

01 FC:1001	770.00 OP	FILED UNDER 37 CFR 1.53(b)  <i>Filing Date Granted</i>
02 FC:1051	130.00 OP	
03 FC:1201	774.00 OP	
04 FC:1202	1062.00 OP	

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$3554** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$4454** for a Large Entity


- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$3554**
  - **\$258** for **3** independent claims over 3.
  - **\$3006** for **167** total claims over 20.
  - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

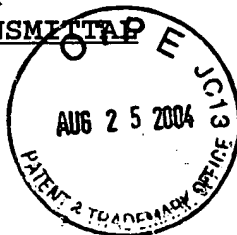
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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**FEE TRANSMITTAL**



Application Number 10/795,790  
Filing Date March 8, 2004  
Confirmation No. 7703  
Inventor(s) Arindam Roy, et al.  
Group Art Unit 1625  
Attorney Docket Number NVI 5268.2


**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

**FEE CALCULATION**

1. ☒ BASIC FILING FEE Subtotal (1) \$770.00  
(Type: Utility)
2. ☒ EXTRA CLAIM FEES Subtotal (2) \$1,836.00  
Total Claims 79  
Independent Claims 9  
Multiple Dependent Claims N/A
3. ☒ ADDITIONAL FEES Subtotal (3) \$240.00
  - ☒ Surcharge - late filing fee or oath
  - ☐ Surcharge - late provisional filing fee or cover sheet
  - ☒ Extension for reply within 1 month
  - ☐ Notice of Appeal
  - ☐ Filing a Brief in Support of an appeal
  - ☐ Request for ex parte Reexamination
  - ☐ Petitions to the Commissioner
  - ☐ Submission of Information Disclosure Statement
  - ☐ Recording each patent assignment per property
  - ☐ Request for Continued Examination
  - ☐ Other: \_\_\_\_\_

**TOTAL AMOUNT OF PAYMENT** \$2,846.00

  
Anthony R. Kinney, Reg. No. 44,834

August 26, 2004

Date

ARK/leb

Express Mail Label No. EV 237015281US



NVI 5268.2  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Arindam Roy, et al.

Art Unit 1625

Serial No. 10/795,790

Filed March 8, 2004

Confirmation No. 7703

For A PROCESS FOR ENZYMATICALLY RESOLVING AN ENANTIOMERIC  
MIXTURE OF  $\alpha$ -HYDROXY ACIDS

August 26, 2004

**LETTER IN RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NON-PROVISIONAL APPLICATION - FILING DATE GRANTED**

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

In response to the "Notice to File Missing Parts of Non-Provisional Application - Filing Date Granted," dated May 26, 2004, enclosed is applicants' signed Declaration and Power of Attorney in the above-referenced application. A copy of the Notice is returned herewith.

Enclosed is a Preliminary Amendment.

Also enclosed is a check for \$2,846.00 for payment of the basic filing fee, additional claims fees, and surcharge with one-month extension.

Respectfully submitted,

Anthony R. Kinney, Reg. NO. 44,834  
SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

ARK/leb  
\*Enclosures

Express Mail Label No. EV 237015281 US

Mail Stop Missing Parts